

Par.1. **Material Transmitted and Purpose** --Transmitted with this Manual Letter are changes to Service Chapter 447-10, "Economic Assistance IV-E Foster Care Eligibility": New language has been underlined and the old language has been struck through. PI 14-11 and its attachment have been superseded.

Par. 2. EFFECTIVE DATE: **January 12, 2015**

Reimbursability - 447-10-25

1. **447-10-25-05** – New language was added.

Applies to all children in Foster Care. 447-10-25-05

There must be a court order, **as defined in Legal Status 447-10-20-10**, that **which** gives a public agency legal responsibility for the custody and placement of the child. ~~From the date of this court order the child becomes reimbursable (assuming the other criteria have been met).~~ **Removal of a child from the child's home for placement in foster care must be based on judicial findings stated in the court's order, and determined on a case-by-case basis in a manner that complies with the requirements of Titles IV-B and IV-E of the Social Security Act.**

Judicial determinations must be made by a District Court Judge, Tribal Judge, or judicial referee, which has the authority to make such a determination.

2. **447-10-25-35** – New language was added.

Under the Age of 18 or 19 if in School 447-10-25-35

(Applies to all children.)

A child loses Title IV-E eligibility and reimbursability when the child reaches the age of 18, unless the child is enrolled full-time in high school or an equivalent course of study and can reasonably be

expected to graduate prior to the child's nineteenth birthday. If the child meets this exception, reimbursement may continue until the child graduates or turns 19, whichever occurs first.

When the child turns 18, ~~they need to sign the "Understanding of the Parties for Continued Foster Care Services," SFN 1781, to give the agency the authority to continue to provide services and authorize payment for the child, unless there is a valid court order in effect from DJS.~~ the 18+ Continued Care program is available. (See 624-05-23)